REMARKS

STATUS OF CLAIMS

Claims 17-21, 23, and 45-47 were pending in the application. Claim 17, 20, and 45 has been amended, and no claims have been added or cancelled. Therefore, claims 17-21, 23, and 45-47 are pending and are submitted for reconsideration.

PRIOR ART REJECTION UNDER 35 USC § 103

In the office action, claims 17-21, 23, and 45-47 were rejected under 35 USC § 103 as being obvious over U.S. Patent Number 6,202,211 to Williams, Jr. (hereafter "Williams") in view of the publication titled *Virtual Network Computing* to Richardson *et al.* (hereafter "Richardson"). Applicants respectfully traverse this rejection with respect to the pending claims for at least the following reasons.

Independent claim 17 recites a remote computing server system for efficiently transmitting display elements (generated by a program on the server) on a compressed video stream. An analysis module compares the original display elements with a set of predefined display elements stored at the server, wherein responsive to transmission bandwidth limitations that are identified by the server, the analysis module selects corresponding modified display elements from the set of predefined display elements that are most similar to one or more of the original display elements.

Independent claim 17 further recites that selecting the corresponding modified display elements by the analysis module includes:

(1) referring to a plurality of modifiable parameters that trade image quality and bandwidth with each of these modifiable parameters having a range

in which image quality is minimally degraded and a range in which image quality
is significantly degraded, and

    (2) selecting the modified display elements based on the plurality of
modifiable parameters so that image quality is minimally degraded based on the
transmission bandwidth limitations.

At least these recited features are not disclosed by the applied prior art. See, for
example, paragraphs [181—[183] for an exemplary description of these recited features.

Specifically, as acknowledged in the final office action, Williams does not
disclose anything related this feature discussed in the context of Williams not disclosing
the previously recited features of the analysis module. See last paragraph on page 5 of
the office action.

To cure this deficiency in Williams, the office action relies on Richardson.
However, nowhere does Richardson disclose an analysis module that has the features
identified above. Specifically, nowhere does Richardson disclose or suggest selecting the
corresponding modified display elements by the analysis module including (1) referring
to a plurality of modifiable parameters that trade image quality and bandwidth with each
of these modifiable parameters having a range in which image quality is minimally
degraded and a range in which image quality is significantly degraded, or (2) selecting
the modified display elements based on the plurality of modifiable parameters so that
image quality is minimally degraded based on the transmission bandwidth limitations.

Specifically, Richardson teaches the use of a display side protocol based on a
single graphics primitive – "Put a rectangle of pixel data at a given x, y position." See 4th
paragraph on page 35 of Richardson.

All of the different encoding schemes taught by Richardson are based on simple
variants of this protocol such as the copy rectangle encoding scheme in which a simple x,
y coordinate is sent when the client may already have the raw data that is referred to by
the x, y coordinate. Another encoding scheme taught by Richardson consists of different
rectangles for different parts of a screen.   See paragraphs 5-9 on page 35 of Richardson.

The adaptive update taught by Richardson teaches that different schemes (as described above) may be used for the different rectangles. Alternatively, Richardson teaches that the update refresh rate could controlled by the *client* so that updates were sent less frequently over slower links. See Adaptive Update section on page 5 of 35 of Richardson.

However, nothing in the disclosure of Richardson teaches the above-identified specific features recited in independent claim 17 . Specifically, neither Richardson nor Williams teaches or suggests, among others, that selecting the corresponding modified display elements by the analysis module including (1) referring to a plurality of modifiable parameters that trade image quality and bandwidth with each of these modifiable parameters having a range in which image quality is minimally degraded and a range in which image quality is significantly degraded, or (2) selecting the modified display elements based on the plurality of modifiable parameters so that image quality is minimally degraded based on the transmission bandwidth limitations.. Therefore, the office action fails to make a *prima facie* case of obviousness with respect to the pending independent claim 17.

It should be noted that the Patent Office (PTO) has the burden of proving each of the claimed features is shown by the prior art. An allegation that claimed subject matter is "obvious" (as here alleged) requires a positive, concrete teaching in the prior art, such as would lead a person skilled in the art to choose the claimed combination from among many that might be comprehended by broad prior art teachings. The PTO's review court has made it very clear that <u>silence</u> in a reference is hardly a substitute for clear and concrete evidence from which a conclusion of obviousness might justifiably flow. See, e.g., *Application of Burt*, 356 F.2d 115, 121 (CCPA 1966).

Independent claims 20 and 45 are also patentable for reasons that are similar to that discussed above with respect to independent claim 17. Accordingly, these independent claims are also believed to be patentable over the applied prior art.

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Application Number: 09/770,769
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DEPENDENT CLAIMS

The dependent claims are deemed to be patentable at least based on their dependence from allowable independent claims. In addition, they recite patentable subject matter when considered as a <u>whole</u>. For example, the features recited in claims 18, 19, 21, 23, and 46-47 when properly interpreted are also not disclosed or suggested by the applied prior art and these features provide additional reasons for the patentability of these claims. Specifically, none of the applied prior art disclose that the predefined set of display elements include one or more of backgrounds, icons, buttons, menus, or fonts or that differences between the predefined display elements and the original display elements include color, spatial frequency, spectrum, size, contrast, or type.

CONCLUSION

Accordingly, applicant submits that the application is now in condition for allowance and an indication of the same is respectfully requested. If the Examiner believes that the application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' representative at the telephone number listed below.

If this Amendment is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this Response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,

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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]
I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

| March 19, 2007 | /Kate Marochkina/ |
| Date | Signature |

| | Kate Marochkina |
| | Type or Print Name |

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